



# Ontario

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**Ontario Farm Products  
Marketing Commission**

## **Annual Report for Fiscal Year 2007 – 2008**

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## Table of Contents

<b>Ontario Farm Products Marketing Commission Profile .....</b>	<b>5</b>
<b>Vision and Mission.....</b>	<b>5</b>
<b>Operating Principles.....</b>	<b>6</b>
<b>Mandate .....</b>	<b>6</b>
Accountability .....	7
Public Trust .....	7
<b>Members .....</b>	<b>8</b>
<b>2006-07 Highlights .....</b>	<b>10</b>
Ensure the Effective Performance of Marketing Boards.....	10
Goal #1: An effective regulated marketing system.....	10
Evaluating Board Effectiveness.....	10
Financial Performance .....	11
Strong Governance Practices .....	12
Director Training and Education .....	12
Producer Votes.....	13
Foster Enhanced Stakeholder Collaboration to Achieve Sector Solutions .....	15
Goal #1: The regulated system meets the needs of producers and the marketplace .....	15
Fostering Dialogue.....	15
Goal #2: The integrity of the regulated system remains robust .....	17
Commitment to Sector Collaboration.....	17
Industry Advisory Committees.....	17

Advance Ontario's Interests in Regulated Marketing .....	18
Goal #1: Active support of supply-managed boards through participatory involvement in national marketing systems.....	18
Federal-Provincial-Territorial Agreements.....	18
Maintaining Ontario's Market Share .....	19
NAASA.....	20
Goal #2: A regulated marketing system that adapts to change .....	21
Responsive Regulatory System .....	21
<b>Quality Service.....</b>	<b>22</b>
Regulatory Amendments.....	22
Agreements and Awards .....	23
Processor Licences .....	23
Internal Operations.....	23
<b>Financial Performance .....</b>	<b>25</b>
<b>Staff .....</b>	<b>26</b>

# Ontario Farm Products Marketing Commission

## Profile

The Ontario Farm Products Marketing Commission (Commission) is a regulatory agency without a governing board. It is established under the authority of the *Ministry of Agriculture, Food and Rural Affairs Act*.

The Commission is responsible for the direct administration and supervision of two pieces of legislation, namely, the *Farm Products Marketing Act* and the *Milk Act*. In 2007-08, that supervision included 21 agricultural commodity marketing boards and three Section 12 representative associations established under the legislation. While supervision of enabling legislation is a cornerstone of the Commission's agency mandate, the Commission also provides strategic leadership and intervention in the form of advice and facilitation. In addition, the Commission provides education services where it can contribute to the effective operation of Ontario's regulated marketing structure and the boards that operate under the legislation.

## Vision

"Dynamic, competitive agri-food sectors"

## Mission

"To lead, supervise and direct Ontario's regulated marketing system to effectively adapt to change"

- Operating Principles**
- The Commission will provide leadership and direction to Ontario's regulated marketing sectors.
  - Commission activities will be characterized by integrity, transparency, and open-mindedness.
  - Open consultation, participation and cooperation with all industry stakeholders are essential to resolving issues and developing opportunities.

- Mandate**
- The Commission:
- 1) Administers the legislation and regulations of the *Farm Products Marketing Act* and the *Milk Act*, and supervises the activities of Ontario's marketing boards and Section 12 representative associations to ensure that:
    - marketing boards operate within the powers and authorities given to them;
    - the lines of accountability are maintained;
    - stakeholders have an opportunity to influence how the system operates; and
    - the public policy goals of the legislation are maintained.
  - 2) Provides strategic leadership in the form of advice, facilitation and direction to Ontario's marketing boards and Section 12 representative associations.
  - 3) Develops, recommends and implements all policy related to regulated marketing in Ontario.
  - 4) Provides education programs for Ontario's marketing boards, Section 12 representative associations and industry stakeholders in order to increase the effectiveness and efficiency of the regulated marketing system.

**Accountability** The Commission is directly accountable to the Minister of Agriculture, Food and Rural Affairs for its performance in fulfilling its mandate and its compliance with government policies. The Minister, in turn, is accountable to Cabinet and the Legislature for the Commission's fulfillment of its mandate and for reporting on its affairs.

**Public Trust** The Commission is the central figure in Ontario's regulated marketing system and holds an important public trust in the exercise of its duties. Through its actions, the Commission ensures that individual commodity boards operate in an effective and responsible manner with due regard to the impact of their decisions on the agri-food sector and consumers, while at the same time maintaining the public policy goals of the legislation.

## Members 2007-08



**Dave Hope**  
Chair

Assistant Deputy Minister,  
Regulated Marketing Division,  
Ontario Ministry of Agriculture,  
Food and Rural Affairs.

Appointed September 4, 2004  
Current Appointment Expires  
September 3, 2008



**Tom Richardson**  
Member

Retired Acting Assistant Deputy  
Minister of Policy, Agriculture  
and Agri-Food Canada.

Appointed March 23, 2005  
Current Appointment Expires  
March 22, 2013



**Gord Coukell**  
Vice-Chair

Owner/operator Alcoma Farms  
(dairy), Simcoe County. Former  
Chair, Dairy Farmers of Ontario.  
Chair Ontario Livestock and Poultry  
Council. Founding member Ontario  
Farm Animal Council.

Appointed June 1, 2005  
Current Appointment Expires May  
31, 2008



**Bob Aumel**  
Member

Owner/consultant Aumell Agri-  
Consulting, specializing in  
managing change in agriculture.  
Retired from providing credit  
services to Canadian farmers,  
with Farm Credit Canada.

Appointed March 23, 2005  
Current Appointment Expires  
March 22, 2013



**Deborah Whale**  
Vice-Chair

Owner/operator Clovermead Farms  
(dairy, beef and veal), Wellington  
County. Past board member Farm  
Credit Canada. Ontario Livestock and  
Poultry Council, Chair of Insurance  
Committee. Ontario Agricultural Hall  
of Fame, Board of Directors. Poultry  
Research Council, Board of Directors.  
Ontario Institute of Agrologists, Board  
of Directors.

Appointed March 10, 2004  
Current Appointment Expires June 19,  
2012



**Taketo Murata**  
Member

Owner/consultant Global  
Agribusiness Solutions.  
Associate of the George Morris  
Centre. Former member Food and  
Consumer Products  
Manufacturers of Canada. Former  
President Hunt-Wesson Canada  
and ConAgra Grocery Product  
Companies of Canada and  
International.

Appointed October 5, 2005  
Current Appointment Expires  
October 4, 2008





**Carolyn Fuerth**  
Member

Partner in Ewe Dell Family Farms (sheep and cash crop, plus provincially inspected abattoir), Essex County. Executive member of Ontario Agri-Food Education Inc. Past director, Ontario Federation of Agriculture.

Appointed March 10, 2004  
Current Appointment Expires  
March 10, 2012



**Anna Andres**  
Member

Partner in tender fruit farm, Niagara Region, and part owner Niagara Harvest (cherry processing facility). Past President Niagara Peninsula Fruit and Vegetable Growers Association. Former member Produce Arbitration Board, and Agriculture, Food and Rural Affairs Appeal Tribunal

Appointed June 14, 2005  
Current Appointment Expires  
June 13, 2008



**Jim Clark**  
Member

Executive Director Ontario Cattle Feeders' Association. Former Senior Policy Advisor (Stakeholder Relations) for Office of the Ontario Minister of Agriculture, Food and Rural Affairs.

Appointed June 20, 2007  
Current Appointment Expires  
June 19, 2008



**Elmer Buchanan**  
Member

Partner in Elmlea Farm (alpacas, llamas and angora goats), Peterborough County. Former Ontario Minister of Agriculture, Food and Rural Affairs. Retired vice-principal, elementary and secondary school teacher, Hastings County.

Appointed June 20, 2007  
Current Appointment Expires  
June 19, 2008



**Fred Lewis**  
Member

Owner cash crop and chicken operation, Middlesex County. Former director with Chicken Farmers of Ontario. Founding director Ontario Corn Producers' Association. Former Reeve London Township and former Warden Middlesex County.

Appointed May 9, 2001  
Appointment expired June 22, 2007

## 2007-08 Highlights

### *Ensure the Effective Performance of Marketing Boards*

#### **Goal #1: An effective regulated marketing system**

#### **Evaluating**

#### **Board**

#### **Effectiveness**

To fulfill its mandate for the supervision of the 21 marketing boards and three Section 12 representative associations established under the legislation, the Commission continued to utilize a performance management process. Commission staff routinely assessed all marketing boards and representative associations against effectiveness indicators in three areas:

1. commitment to maintaining the integrity of the regulated marketing system;
2. financial management; and
3. governance.

These evaluations identified areas for the Commission to focus more attention and offer assistance to identified marketing boards in order to improve the effectiveness of those boards.

As a result of staff assessments and recommendations, the Commission met with ten marketing boards for a performance review. At these meetings, the Commission further assessed the boards for financial sustainability, communications with producers, use of authorities, governance structure, stakeholder relations and responsiveness to industry challenges, along with evidence of strategic planning.

Following the mid-year review of the Ontario Greenhouse Vegetable Growers, the Commission noted the progress the board had made since the last review as well as the board's ability to manage change in the industry. The Commission encouraged the board to continue its efforts to communicate with growers.

The Commission encouraged the Ontario Bean Producers' Marketing Board, during its review, to engage in long term thinking both in terms of staffing and the directorship, as well as meeting industry challenges.

Of the twenty-four marketing boards and Section 12 representative associations, thirteen have current strategic plans. During the year, nine boards either completed updating or are in process of updating their plans.

The Commission met with four marketing boards to discuss identified issues. Fresh Grape Growers' Marketing Board and Tender Fruit Producers' Marketing Board each presented their recently updated strategic plans to the Commission, and discussed current practices for succession planning. Both Ontario Pork Producers' Marketing Board and Grape Growers of Ontario reported on the progress of the respective boards' strategic plan, indicating completion during 2008.

**Financial** All 21 marketing boards and three Section 12 representative associations  
**Performance** complied with their regulatory responsibility to file audited financial statements based on their fiscal year. All boards and associations communicated those reports to producer-members.

The audited financial statements were analyzed by Commission staff to evaluate items such as solvency, transparency, operating reserves, risk and

use of funds, and compliance with Commission expenditure guidelines. Board finances was a topic of discussion at all review meetings

The Commission was concerned over the lack of transparency the Ontario Wheat Producers' Marketing Board was exhibiting regarding its financial position. The Commission continued to monitor finances of the board to ensure producer funds were not being put to undue risk.

**Strong**  
**Governance**  
**Practices**

Commission staff engaged the chair and senior staff of the Ontario Sheep Marketing Agency in discussions about board director and staff roles and responsibilities. Staff then facilitated a meeting with the board finance committee to clarify the roles and expectations of the board, the finance committee and board staff. In addition, the board created a governance committee to develop training for district committee representatives and to ensure new board members have a full orientation to the board.

Following a successful presentation on succession planning to the Turkey Farmers of Ontario annual meeting in March 2007, Commission staff offered a similar presentation to other marketing boards and Section 12 representative associations. No other boards requested a presentation during 2007-08.

**Director**  
**Training and**  
**Education**

The Commission offered two workshops for new marketing board directors and senior staff. A total of ten marketing boards chose to participate in the June and November 2007 workshops by sending a total of 26 elected directors and senior staff.

The goal of these workshops was to assist new directors to become more effective members of their respective boards. Topics covered in the training included regulatory authority of marketing boards, understanding the role of

the Commission and its expectations of boards, and areas of governance such as confidentiality and effective director behavior.

Participants appreciated the opportunity to network with new directors from other boards. They also stated that, as a result of attending the training, they had a better understanding of the role of the Commission and the regulatory framework under which marketing boards operate.

One issue of the Commission's on-demand electronic newsletter was sent to marketing boards and Section 12 representative associations in May 2007 to announce the upcoming director training and provide an update on Commission activities.

The Commission collaborated with the Centre for Rural Leadership's Ipsos-Reid survey of agricultural leaders regarding training needs. The strategy to facilitate the provision of educational opportunities to marketing boards and Section 12 representative associations will flow out of the results of the needs assessment. In the interim, the Commission determined some immediate training that could be offered during 2008-09 to meet the needs of marketing boards.

**Producer**

**Votes**

The Commission considered a proposal from Flowers Canada (Ontario) seeking designation as a representative association under Section 12 of the *Farm Products Marketing Act* for growers of greenhouse cut flowers, potted plants, bedding plants and propagative material. On approval of the Minister, the Commission held a mail-in expression of opinion vote between January 10 and 23, 2008 of greenhouse floriculture growers on the question:

“Are you in favour of Flowers Canada (Ontario) being designated as the representative association for all greenhouse floriculture growers in Ontario of cut flowers, potted plants, annual bedding plants, and propagative plant materials, and paying a mandatory license fee of 2 cents/square foot of greenhouse area to a maximum annual fee payable of \$13,000 (650,000 square feet) to finance the association’s activities to stimulate, increase and improve the producing or marketing of greenhouse floriculture products in Ontario?”

A total of 78.4% of greenhouse floriculture growers representing 90.7% of the square footage of those casting valid ballots voted in favour of the question. Only those growing 20,000 square feet or more of cut flowers, potted plants, annual bedding plants and/or propagative plant materials were eligible to vote. A total of 51.7% of the 356 known eligible greenhouse floriculture growers who received a ballot participated in the vote.

Based on the results of the vote, the Commission recommended that the appropriate regulation be prepared to designate Flowers Canada (Ontario) as the representative association of greenhouse floriculture growers.



Ontario

Ontario Farm Products  
Marketing Commission

***Foster Enhanced Stakeholder Collaboration to Achieve  
Sector Solutions***

**Goal #1:** The regulated system meets the needs of producers  
and the marketplace

**Fostering**

**Dialogue**

When issues arise within an industry, the Commission attempts to facilitate the development of solutions with the full involvement of producers and their processor/buyer partners. The Commission was active throughout the year in several commodities related to this commitment.

The Commission chaired a meeting between Ontario Pork Producers' Marketing Board, Ontario hog transporters and hog processors on issues related to animal transport and humane handling. While the issue is still ongoing, the meeting opened up discussion between the parties, identifying key issues for further dialogue and agreement to meet again.

Chicken Farmers of Ontario and Ontario chicken processors continued to meet throughout the year, successfully working through relationship issues on a collaborative non-confrontational basis. Working through the Producer Processor Relations Committee, the industry agreed to contract with a consultant who will be developing a process for updating the producer margin, taking into account changes in costs and efficiencies.

Commission staff worked with representatives from Ontario Soybean Growers, the Ontario Wheat Producers Marketing Board and the Ontario Corn Producers' Association to address and resolve issues related to the



proposed formation of one grain farmers marketing board. This initiative continues to move forward.

As directed by the Minister, the Commission investigated a complaint from Ontario Halal Meat Packers over the allegation that the Ontario Sheep Marketing Agency was targeting small corporations of the Islamic faith. The investigation provided no evidence to support the allegation.

Following a hearing and decision of the Agriculture, Food and Rural Affairs Appeal Tribunal (Tribunal), Dairyland Transport Co-operative asked for an investigation into Dairy Farmers of Ontario's assignment policies and the Ontario Milk Transport Association's compensation guidelines regarding milk transportation. The company was concerned about policies being up-to-date and that they not put transporters at a competitive disadvantage. The Commission reviewed the policy of Dairy Farmers of Ontario and the Tribunal's decision and found no evidence to suggest an investigation was necessary, and so declined to review the matter further.

A group of hog producers and pork industry stakeholders requested the Commission to hold a formal industry hearing regarding the role and powers of the Ontario Pork Producers' Marketing Board. Prior to scheduling a hearing, the Commission decided to hold a pre-hearing meeting to allow interested parties to further identify issues they wished to be addressed at a hearing.



***Foster Enhanced Stakeholder Collaboration to Achieve  
Sector Solutions***

**Goal #2: The integrity of the regulated system remains robust**

**Commitment** All of the marketing boards and Section 12 representative associations that  
**to Sector** met with the Commission for their performance review demonstrated how  
**Collaboration** they are collaborating within their respective industries.

Starting in 2007, Ontario Pork Producers' Marketing Board began meeting with the Commission on a quarterly basis to update the Commission on board activities and issues in the pork industry. The Commission encouraged the board to include all pork industry stakeholders in the board's Vision 2010 consultations.

When the Ontario Bean Producers' Marketing Board was in for its performance review, the Commission noted that the board had initiated discussions with industry stakeholders. Further, the Commission encouraged the board to look at longer term contracts between growers and dealers as a way of creating more stability in the industry.

**Industry** Industry advisory committees continue to be the main venue wherein the  
**Advisory** Commission encourages dialogue among stakeholders. The Commission  
**Committees** plays an active role in facilitating constructive industry discussions at these meetings. In 2007-08, the Commission and its staff facilitated discussions in a number of commodity sectors.

The Commission chaired meetings of the fresh and juice apple advisory committees on at least six occasions during 2007-08. These meetings allowed industry to make decisions for the betterment of both growers and buyers.

Through efforts by the Commission, the processing grape industry held three industry advisory meetings during 2007. These meetings provided a forum for open dialogue on topics such as quality parameters, crop outlooks, and supply and demand.

The Tobacco Industry Advisory Committee, composed of the Ontario Flue-Cured Tobacco Growers' Marketing Board and industry stakeholders, concentrated its efforts on discussing alternative marketing systems. No agreement was reached for changing from the auction system. This committee is chaired by the Commission.

### ***Advance Ontario's Interests in Regulated Marketing***

**Goal #1:** Active support of supply-managed boards through participatory involvement in national marketing systems

<b><u>Federal-</u></b>	This initiative is a long term goal. It will take considerable effort for parties
<b><u>Provincial-</u></b>	in all affected provinces and territories to reach unanimous agreements. The
<b><u>Territorial</u></b>	Commission continues to take a pro-active role in moving this initiative
<b><u>Agreements</u></b>	forward.

Egg Farmers of Ontario and the Commission, working with Quebec, British

Columbia and the National Farm Products Council, put together a case to ensure the Canadian Egg Marketing Agency (CEMA) includes supervisory boards in all meetings that deal with the federal-provincial-territorial agreement. As a result of discussions, CEMA indicated that issues relating to allocation and the federal-provincial-territorial agreement will be conducted in the open sessions at which supervisory boards can be in attendance.

In the broiler hatching eggs sector, producers and Ontario broiler hatcheries have developed a shared vision with the Commission on the parameters for provinces to be admitted or re-admitted to the Canadian Hatching Egg Producers.

**Maintaining**  
**Ontario's**  
**Market Share**

The Commission encourages Ontario's supply-managed sectors to ensure that Ontario's share of the industry, from production to further processing, reflects market requirements. The Commission strongly supports a "Team Ontario" approach, whereby the Commission, producer marketing boards and processors work together to achieve Ontario's objectives.

Building on discussions held the previous year between the Commission and Chicken Farmers of Ontario, Ontario's position on allocation was put forward to Chicken Farmers' of Canada (CFC). In addition, the Commission chair met with the chair and general manager of CFC to discuss problems with the allocation process. Although there was recognition that the problems are not readily solved, ongoing efforts are being made by CFC and other stakeholders to bring resolution.

The Commission met with Dairy Farmers of Ontario and the Ontario Dairy Council to discuss the issue of harmonized milk allocation policy between

Ontario and Quebec. The Commission urged the organizations to develop a joint Ontario position.

During 2007-08, the Commission, through its chair, reinforced its position on supply management to Ontario signatories as opportunities arose through speeches, attendance at meetings and correspondence. In addition, the Commission chair met with the Régie des marchés agricoles et alimentaires du Québec to discuss inter-provincial movement of chicken and eggs. The Régie and Commission are both reviewing the movement of chicken to develop options to address the issue. Regarding the movement of eggs, the Commission made it clear it would pursue the issue if the Régie's actions were not consistent with the federal-provincial-territorial agreement.

#### **NAASA**

Membership in NAASA, the National Association of Agri-food Supervisory Agencies, allows the Commission to share ideas and information with similar organizations in other jurisdictions. NAASA supports an environment that encourages participants in the regulated marketing sector to progressively adapt the regulated systems to new market environments. The Chair's participation in this forum promotes good will with regulatory agencies across the country and provides invaluable networking opportunities. Similar issues arise in many provinces and Ontario benefits from the experiences of other provinces, while sharing its own experiences with them.

## ***Advance Ontario's Interests in Regulated Marketing***

### **Goal #2: A regulated marketing system that adapts to change**

#### **Responsive**

#### **Regulatory**

#### **System**

The Commission has a responsibility to ensure that regulations evolve to reflect market realities, to the benefit of Ontario. As marketing boards become pressured to do more for their producers to keep up with the pace of industry change and remain competitive, the Commission is committed to enhance competitiveness through regulatory change and the removal of regulatory barriers to investment and growth.

Commission staff assisted the Ontario Asparagus Growers' Marketing Board by providing comments on the board's new draft general regulations in preparation for grower consultations during the fall of 2008.

Commission staff also met with the Ontario Sheep Marketing Agency (OSMA) to discuss that board's marketing authorities in light of how the board currently operates. The Commission held further discussions with OSMA regarding the board's policies and procedures on fee collection. The Commission continues to work with OSMA to ensure board policies are applied consistently.

## Quality Service

The Commission is committed to providing enhanced, efficient and effective service to the regulated sector.

### **Regulatory**

### **Amendments**

The Commission supported numerous regulatory amendments for marketing boards.

Four sectors made changes in grower representation and board operations. For example, in response to lower producer numbers, Ontario Greenhouse Vegetable Growers and Turkey Farmers of Ontario reduced the ratio for representation at the district committee level resulting in a reduction in the total number of committee representatives. Ontario Asparagus Growers' Marketing Board realigned districts to reflect a change in where the majority of asparagus is grown in the province. Dairy Farmers of Ontario is now allowed to have newly elected directors take office sooner where there is a vacancy.

The Commission also approved changes to the marketing authorities of two marketing boards. The Commission delegated to Turkey Farmers of Ontario the authority to impose terms and conditions on licences. The Commission amended the milk plan to change classes of milk and to allow for the manufacture and sale of light dairy edible oil products.

In preparation for the expression of opinion vote in the greenhouse floriculture industry, the Commission approved the designation of floriculture plants and plant material as a farm product.



**Agreements  
and Awards**

Following negotiation processes, the Commission brought into force negotiated agreements and arbitrated awards in the following sectors – chicken, potato, processing grape, tomato seedling, processing vegetables and tobacco. The Commission appointed arbitrators for processing vegetables and observers for company specific processing potato negotiations.

**Processor  
Licences**

The Commission licenses processors in the following industries – asparagus, processing grape, potato, seed corn, tender fruit and processing vegetable. A total of 326 processor licences were in effect in 2007. There were 13 more grape licences, one more tender fruit licence and one less vegetable licence than in 2006.

**Internal  
Operations**

In keeping with the Commission's principle that activities will be characterized by integrity, transparency and open-mindedness, the Commission made some changes to its internal operations.

The Commission adopted an updated Code of Conduct which is currently under review by the Conflict of Interest Commissioner. The new code retains principles of conduct from the Code of Conduct for Appointees to Regulatory and Adjudicative Agencies, incorporates conflict of interest policies in keeping with the new *Public Services Act*, and expands on post term responsibilities.

The Commission's Governance Committee focused on member development, effective use of Commission time and Commission policy development. In an effort to make the best use of members' time and Commission resources, members adopted a new schedule of Commission

meetings, reducing the number of regular monthly meetings from twelve to eight and allowing for more regular use of teleconference meetings.

The Commission engaged in its annual strategic planning process, which resulted in the Commission Business Plan for 2008-09. This plan was approved by the Minister



## Financial Performance

The Commission operates under the budget of the ministry and therefore does not have its own audited financial statements. The Commission's resource requirements are incorporated under the ministry's business plan. A description of these resources is presented below.

Operating Expenditures		
	<b>Budget 2007-08</b>	<b>Actual 2007-08</b>
Salaries & Benefits	\$1,172,000	\$1,170,919
ODOE	\$344,000	\$304,505
Recoveries	(\$30,000)	0
<b>TOTAL</b>	<b>\$1,486,000</b>	<b>\$1,475,424</b>

## Staff

### Staff of the Commission in 2007-08:

Arva Machan.....	General Manager
Gloria Marco Borys.....	Secretary to the Commission
Paul Glenney.....	Marketing Analyst
Sophia Dinnissen.....	Marketing Analyst
Susan Leuty.....	Marketing Analyst
Marilyn Sewell.....	Marketing Analyst
Laurinda Lang.....	Marketing Analyst
John Fitzgerald.....	Marketing Analyst
Laura McLean/Lea Nicholls/Julie Claveau.....	Administrative Services Representative



